

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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IN RE PAYMENT CARD INTERCHANGE FEE
AND MERCHANT DISCOUNT ANTITRUST
LITIGATION

ORDER
05-MD-1720 (MKB) (JAM)

This document refers to: ALL ACTIONS

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JOSEPH A. MARUTOLLO, United States Magistrate Judge:

On November 7, 2023, class counsel for the Rule 23(b)(3) Class (“Class Counsel”) filed a letter-motion seeking an Order to Show Cause regarding a website, settlement2023.org, that allegedly attempts to mirror the official Court-authorized website related to this matter. *See* Dkt. No. 8996, *see also* Dkt. No. 8994. Class Counsel seeks an Order to Show Cause as to why the entity or entities operating the website settlement2023.org (“the Settlement2023.org Entity”) should “not immediately cease and desist their conduct, cancel all contracts they have with any potential claimant, and take further steps to correct their actions as detailed in the attached proposed order.” Dkt. No. 8996. Despite the efforts described in its letter-motion and its November 3, 2023 status report, Class Counsel has not been able to identify the Settlement2023.org Entity. *See* Dkt. Nos. 8994, 8996.

Having reviewed Class Counsel’s letter, it is ORDERED that:

- (1) The Settlement2023.org Entity shall show cause on or before November 27, 2023 as to why Magistrate Judge Joseph A. Marutollo should not issue a Report and Recommendation to United States District Judge Margo K. Brodie ordering the Settlement2023.org Entity to: (a) provide a list of all class members that signed up for services with settlement2023.org; (b) provide written notice to all class members that signed up for services with settlement2023.org that any contract

entered into is now void; (c) immediately take down the website settlement2023.org and all associated pages that mirror the Court's approved settlement website; and (d) identify by name the owners or operators of the settlement2023.org website and provide contact information of the same; and

- (2) On or before November 14, 2023, Class Counsel shall serve a copy of this order on the Settlement2023.org Entity. Class Counsel shall file proof of service on the docket on or before November 14, 2023. In that proof of service, Class Counsel shall describe the steps taken to inform the Settlement2023.org Entity of this Order.

Dated: Brooklyn, New York
November 10, 2023

/s/ Joseph A. Marutollo
JOSEPH A. MARUTOLLO
United States Magistrate Judge